

# **Exhibit 3**

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THE UNITED STATES DISTRICT COURT

THE DISTRICT OF COLUMBIA

THE ESTATE OF ESTHER KLIEMAN, et al., )

Plaintiff, )

vs. )

Case No.

) 04-1173 (PLF) (JMF)

THE PALESTINIAN AUTHORITY, et al., )

Defendants. )

\_\_\_\_\_ )

DEPOSITION OF

HASAN ABU-LIBDEH

East Jerusalem, Israel

June 16, 2010

REPORTED BY: AMY R. KATZ, RPR

<p style="text-align: right;">Page 118</p> <p>1 Q. Yes.</p> <p>2 A. The PLO Executive Committee, being the sole</p> <p>3 -- or the Executive Committee of the PLO, the sole</p> <p>4 legitimate representative of the Palestinian people,</p> <p>5 who entered into interim contractual arrangements with</p> <p>6 Israel, has founded the PA in accordance with the</p> <p>7 agreements. And in this regard, the PLO has the full</p> <p>8 authority to dismantle the PNA or to instruct the PNA</p> <p>9 in terms of alignment with the political program,</p> <p>10 objectives, and policies of the PLO, but no executive</p> <p>11 authority of the PLO over the PNA.</p> <p>12 Q. Thank you.</p> <p>13 As the designated representative of the</p> <p>14 Palestinian National Authority, please advise whether</p> <p>15 or not the negotiations with the State of Israel are</p> <p>16 handled by the Palestinian National Authority or the</p> <p>17 Palestine Liberation Organization?</p> <p>18 A. Negotiations --</p> <p>19 MR. O'TOOLE: Objection as to the time</p> <p>20 frame. I didn't hear a time frame on the question.</p> <p>21 A. Never mind. Negotiations --</p> <p>22 MR. HEIDEMAN: No, no, if there is an</p> <p>23 objection -- thank you, if there is an objection and</p> <p>24 the judge were to sustain the objection, your answer</p> <p>25 would be stricken. So that's why I'm trying to both</p>	<p style="text-align: right;">Page 120</p> <p>1 Executive Committee of the PLO?</p> <p>2 Q. Yes.</p> <p>3 A. The PNA is accountable in the sense of being</p> <p>4 committed and obliged to function in harmony and</p> <p>5 agreement with the political framework or the political</p> <p>6 platform of the PLO, and the strategic policies</p> <p>7 viz-a-viz the Palestinian people at large.</p> <p>8 Q. Thank you.</p> <p>9 What was the function of the Palestinian</p> <p>10 Authority at the time of its creation in 1993?</p> <p>11 A. The Palestinian Authority assumed the</p> <p>12 responsibility and accepted responsibility in the</p> <p>13 various spheres of life of the Palestinian people for</p> <p>14 the interim period, which covered the social, cultural,</p> <p>15 sports, economics, and other attributes of the</p> <p>16 Palestinian society.</p> <p>17 Q. Did the function of the Palestinian</p> <p>18 National Authority, as you just described it, change at</p> <p>19 any time prior to March 24, 2002?</p> <p>20 A. The functions, again, are -- are explicitly</p> <p>21 stated and listed in the Oslo Agreements, and in</p> <p>22 accordance with the Basic Law, that is consistent also</p> <p>23 with the Oslo Agreements.</p> <p>24 Q. You have referred in one of your recent</p> <p>25 answers to the PNC, if I heard you right.</p>
<p style="text-align: right;">Page 119</p> <p>1 respectfully but carefully listen to the objection, and</p> <p>2 that's why I often rephrase to avoid it.</p> <p>3 A. Thank you.</p> <p>4 Q. Thank you.</p> <p>5 So can you please explain, for the time</p> <p>6 period of 1999 through 2005, whether the Palestinian</p> <p>7 National Authority was responsible for the negotiations</p> <p>8 with the State of Israel, or whether those</p> <p>9 responsibilities were in the authority of the Palestine</p> <p>10 Liberation Organization?</p> <p>11 A. Please define the word "negotiations."</p> <p>12 Q. Communications and discussions about issues</p> <p>13 relating to governance and other functions within the</p> <p>14 area of the West Bank and Gaza.</p> <p>15 A. On issues relating to the exercise of the</p> <p>16 functions and responsibilities of the PNA in accordance</p> <p>17 with the Oslo Agreements, all communication with the</p> <p>18 Israeli side is done by the PA. Other communications</p> <p>19 relating to the final status and the fate of the</p> <p>20 Palestinian Territory and the fate of the future</p> <p>21 relations with Israel, that is the function of the PLO.</p> <p>22 Q. Thank you very much.</p> <p>23 Was the Palestinian National Authority ever</p> <p>24 made accountable to the PLO Executive Committee?</p> <p>25 A. The PNA being made accountable to the</p>	<p style="text-align: right;">Page 121</p> <p>1 A. No.</p> <p>2 Q. Can you please explain what that is?</p> <p>3 A. I have not said the word "PNC" at all.</p> <p>4 Q. Okay, thank you.</p> <p>5 A. I said "PLC," maybe.</p> <p>6 Q. PLC?</p> <p>7 A. Probably, if I did say that, but PNC? Never</p> <p>8 said it.</p> <p>9 Q. Are you familiar with an entity known as the</p> <p>10 Palestine Media Center?</p> <p>11 A. Media center? Palestine Media Center?</p> <p>12 Could you tell it to me in Arabic?</p> <p>13 Can I see the document?</p> <p>14 Q. Yes, of course.</p> <p>15 A. Because there are so many centers with this</p> <p>16 name.</p> <p>17 MR. HEIDEMAN: Let me hand the witness what</p> <p>18 I think we'll use as Exhibit 19, in order to continue</p> <p>19 from day to day, if that's agreeable to counsel,</p> <p>20 instead of starting over.</p> <p>21 MR. O'TOOLE: That's agreeable, if that's</p> <p>22 how counsel wants to proceed.</p> <p>23 MR. HEIDEMAN: All right. Thank you.</p> <p>24 Let me hand the witness what will be marked</p> <p>25 as Exhibit 19.</p>